

JUL 05 2005

81784.0250

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Akira TSUKIHASHI, et al

Serial No: 10/080,994

Filed: February 20, 2002

For: OPTICAL DISK RECORDING/REPRODUCING  
METHOD AND APPARATUS IN WHICH RECORDING  
PROPERTIES OF THE DISK ARE DETECTED WHEN  
RECORDING SPEED IS CHANGED (Amended)

Art Unit: 2652

Examiner: M. V. Battaglia

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450, on  
June 29, 2005

Date of Deposit  
John P. Scherlacher, Reg. No. 23,009  
Name  
John P. Scherlacher 06/29/05  
Signature Date

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

Small entity status has been claimed. See 37 CFR § 1.27.  
 A Notice Of Change Of Attorney's Address and Associate Power Of Attorney is enclosed.  
 No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE		ADD'L FEE DUE
TOTAL CLAIMS FEE	10	-20	22 **	0	LG=\$50 SM=\$25	\$50	\$ 0
INDEPENDENT CLAIMS FEE	2	-3	4 ***	0	LG=\$200 SM=\$100	\$200	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$360 SMALL ENTITY FEE = \$180		\$ 0
ADDITIONAL SIZE FEE (IF ANY) (TOTAL PAGES OF SPEC AND DRAWINGS TOGETHER)					\$250 FOR EACH ADDITIONAL 50 SHEETS		\$ 0
					<b>TOTAL</b>	\$ 0	

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

A check in the amount of \$ -0- to cover the additional claims fee is enclosed. **A copy of this sheet is enclosed.**  
 A check in the amount of \$ -0- to cover the extension fee is enclosed. **A copy of this sheet is enclosed.**  
 The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1314. **A copy of this sheet is enclosed.**  
 Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims  
 Any patent application processing fees under 37 C.F.R. § 1.17

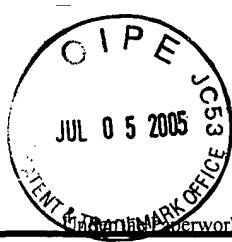
Respectfully submitted  
HOGAN & HARTSON L.L.P.

By: John P. Scherlacher

John P. Scherlacher  
Registration No. 23,009  
Attorney for Applicant(s)

Date: June 29, 2005

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RCE 8/2005

PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

<i>Application Number</i>	10/080,994
<i>Filing Date</i>	February 20, 2002
<i>First Named Inventor</i>	Akira Tsukihashi
<i>Art Unit</i>	2652
<i>Examiner Name</i>	Michael V. Battaglia
<i>Attorney Docket Number</i>	81784.0250

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on May 19, 2005.  
(Any un entered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other \_\_\_\_\_

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1414.
  - i.  RCE fee required under 37 CFR 1.17(e)
  - ii.  Extension of time fee (37 CFR 1.136 and 1.17)
  - iii.  Other \_\_\_\_\_
- b.  Check in the amount of \$790.00 is enclosed.
- c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print Type)	John P. Scherlacher	Registration No. (Attorney)	23,009
Signature	<i>John P. Scherlacher</i>	Date	June 29, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

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Name (Print Type)	John P. Scherlacher
Signature	<i>John P. Scherlacher</i>
Date	June 29, 2005

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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